

REMARKS

I. Status of the Claims

Claims 1-9 and 11 are pending.
Claim 10 has been cancelled herein,
Claims 1-9 and 11 stand rejected;
Claims 7 and 8 are objected to; and
Claims 1-5, 7-9 and 11 have been amended herein. No new matter has been added.

II. Rejection under 35 USC §112

The examiner has rejected claims 1, 3-6, 8-9 and 11 as being "generally narrative and indefinite, failing to conform with current U.S. practice. ... Claims 2 and 7 are necessarily rejected because of their dependency."

Applicant respectfully disagrees with the examiner's rejection of the form of the claims. However, in order to advance the prosecution of this matter, applicant has amended claims 1-9 and 11 to clearly state the structure of the anode claimed. No new matter has been added. Support for the amendments to the claims may be found in the written description on page 8, lines 27-34, which state, in part, "[a] feature of the invention is that strips 5R, 5G, 5B, are covered with strips of a resistive material 8. According to the first embodiment of the present invention, strips of phosphor elements 4R, 4G, 4B are then deposited on resistive strips 8."

Applicant submits that claims 1-9 and 11 were amended to more clearly describe the subject matter claimed as the invention and to correct errors in form. The amendments were not necessarily to overcome the reference cited. Furthermore, Applicant submits that the substance of the originally filed claims has not been amended. Accordingly, the amendments made are not related to patentability and do not alter or limit the substance of the subject matter claimed.

Having amended claims 1-9 and 11, applicant submits that the examiner's reason for rejecting the claims has been overcome. Applicant respectfully requests the amendment be

entered and the rejection withdrawn.

III. Rejection under 35 USC §102

The examiner has rejected claims 1-6, 9 and 11 under 35 U.S.C. 102(e) as being anticipated by USP No. 6,320,309 to Nomura. It is the examiner's position that with regard to "claims 1-2 and 11: Nomura teaches that a flat display screen anode includes phosphor elements (B, G, and R, in Fig. 3) and that these elements are deposited on a biasing electrode including a resistive layer (3) and conductive layer (4). Further he teaches that the resistive layer is deposited on a conductive layer (See. Fig. 3). Re claim 3: Nomura teaches that the phosphor elements (B, G, and R) are deposited on a reflective conductive layer (2 in Fig. 3). Re claims 4-5: Nomura discloses that the reflective layer and the phosphor have elementary patterns (See Fig. 3). Re claim 6: Nomura discloses that the resistive layer is formed without being patterned (3 in Fig. 3). Re claim 9: Nomura discloses that the conductive layer has a pattern of alternate strips (See 4 in Fig. 4)."

Applicant respectfully disagrees with, and explicitly traverses the examiner's rejection of the claims. A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. As will be shown, Nomura does not expressly or inherently describe each and every element recited in the claims.

With regard to independent claim 1, this claim, shown in final form, recites:

1. A flat display screen anode, comprising:
 a plurality of phosphor elements (4R, 4G, 4B, 4'R, 4'G, 4'B);
 at least one biasing electrode positioned at least under the phosphor
 elements, the bias electrode comprising:
 at least one resistive layer (8, 8', 8"); and
 at least one conductive layer (5B, 5R, 5G) for biasing
 corresponding ones of the phosphor elements.

Nomura, on the other hand, discloses first, an acid resistant protective film (3) and second, an anode that is construed using color filters to enhance the color of individual phosphor elements. Figure 1 and Figure 3, which the examiner has referred to, of the Nomura patent, are shown herein to more clearly show the distinction of the present invention with regard to Nomura.

FIG.1

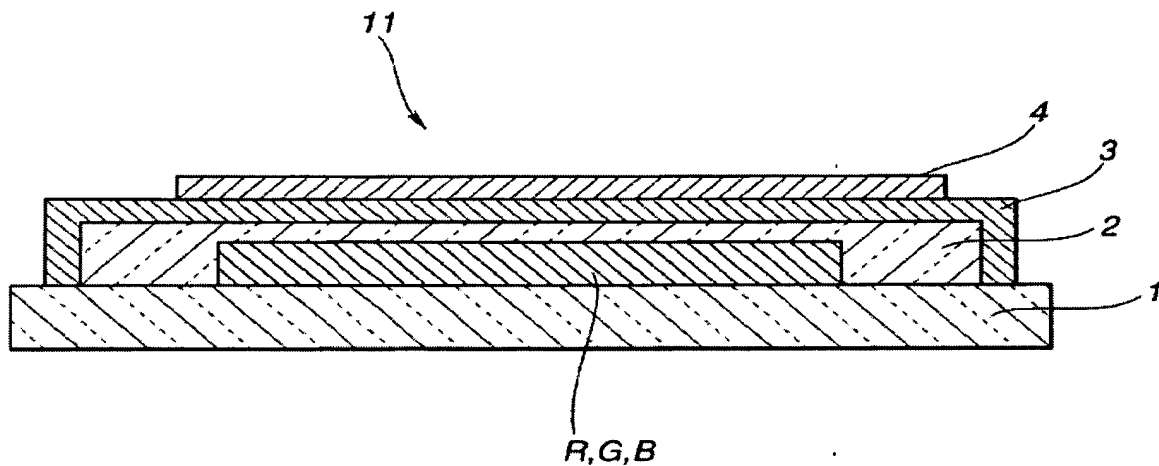


FIG.3

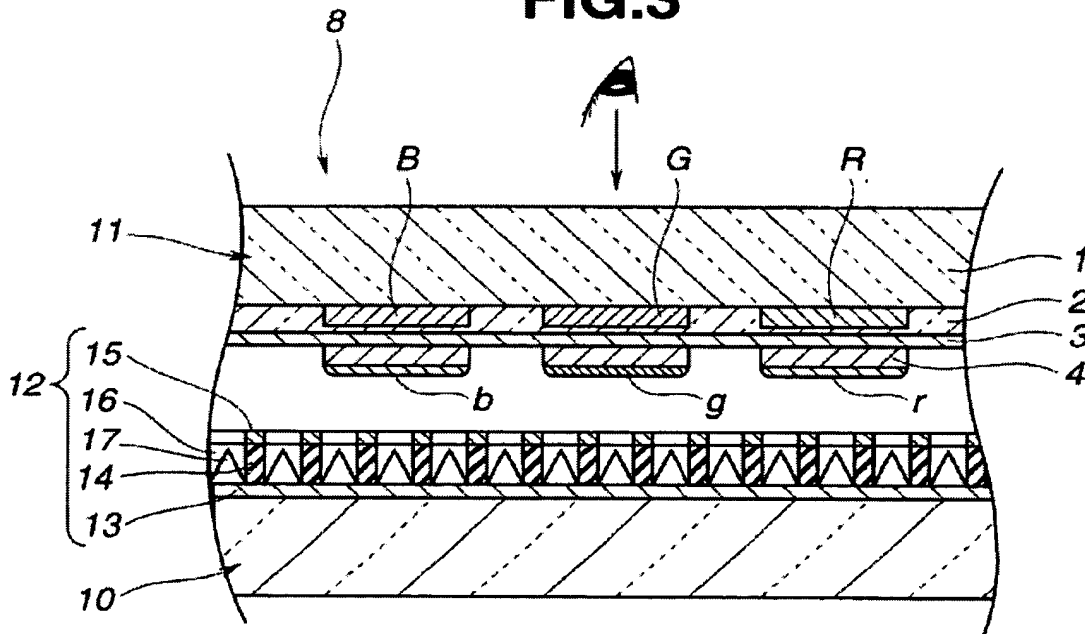


Figure 1, above, shows that the anode of Nomura includes a glass layer (1), inorganic color filters, referred to as "R", "G", and "B", a smoothing layer (2), which is a glass material, an acid-resistant protective film (3) and a transparent conductive film (4). See col. 4, lines 30-46. Phosphor layers, not shown in Figure 1 but are shown in Figure 3 and represented as "r", "g" and "b", are positioned substantially in-line over filters "R", "G", and "B".

The inorganic color filters are passive elements that enhance light generated by corresponding phosphors "r", "g" and "b" and further reduce the effect of light generated by an adjacent phosphor within a color designated area of glass (1). Furthermore, Nomura does not disclose that acid-resistant layer (3) is a resistive layer. Rather, Nomura uses acid-resistant layer (3) as an etch-stop when removing material to create individual elements. (See Fig. 2G and 2H).

Nomura does not disclose either a resistive layer or a conducting layer positioned below a resistive layer as is recited in claim 1. Rather, Nomura discloses the phosphor layer is in contact with the conductive layer. Accordingly, Nomura cannot be said to anticipate the present invention because Nomura does not disclose each and every element of the present invention as recited in claim 1.

With regard to independent claim 11, this claim recites a similar anode structure as is recited in Claim 1. Accordingly, applicant's remarks made with regard to claim 1 are appropriate, and repeated, in response to the examiner's rejection of this claim. Accordingly, Claim 11 is also patently distinct over the device disclosed by Nomura.

Having distinguished applicant's invention of Claims 1 and 11 from the references cited, applicant submits that the basis for the examiner's rejection cannot be sustained. Applicant respectfully requests that the rejection be withdrawn and Claims 1 and 11 be allowed.

With regard to claims 2-9, these claims ultimately depend from claim 1, which has been shown to be allowable. Accordingly, claims 2-9 are also allowable by virtue of their dependency upon an allowable base claim.

IV. Allowable Subject Matter

Applicant wishes to thank the examiner for the indication of allowable subject matter in claims 7 and 8 if rewritten in independent form. However, with regard to claims 7 and 8, applicant submits that for the amendments made to the claims and the remarks made herein the reasons for the examiner's rejection of claim 1 from which claims 7 and 8 depend have been overcome. Accordingly, claims 7 and 8 are also allowable by virtue of their dependence upon an allowable base claim.

V. Conclusion

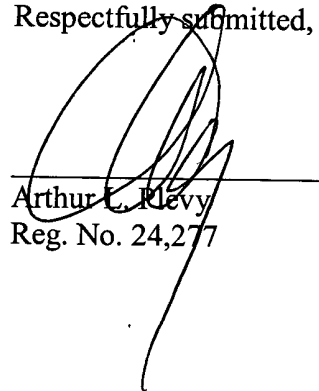
Having addressed the examiner's rejections of the claims under 35 USC §§ 102, 112, applicant submits that the reasons for the examiner's rejections have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejections and that a Notice of Allowance be issued.

If the examiner believes that the prosecution of this matter may be advanced by a telephone call, the examiner is invited to contact applicant's attorney at the telephone number indicated below.

VI. Fees

A petition for a three month extension and this firm's check in the amount of \$930.00 to cover the cost of filing this petition extension is enclosed. No other fees are believed necessary for filing this response. However, the Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to Duane Morris LLP deposit account **50-2061**.

Respectfully submitted,



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